

Notice of Allowability

Application No.

10/724,895

Examiner

Olga Asinovsky

Applicant(s)

ISHIZAKI ET AL.

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/03/2006.
2. ☒ The allowed claim(s) is/are 1-6, 11-14 and 16-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 03 2006 has been entered.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

The cancellation of claims 7-10 and 15 is noted.

Applicants amend claim 1 by inserting "wherein the water-absorbent resin (a) is mixed without being substantially modified." The new claim 20 discloses a process for continuous production of a water-absorbent resin product according to claim 1, wherein the water-absorbent resin (a) in step (C) is mixed without surface treatment and/or granulation.

The claimed invention is a process for continuous production of a water-absorbent resin product, wherein the water-absorbent resin comes being continuously produced via a classification step and a surface-modifying step following a step of polymerizing a monomer and a step of drying, wherein the water-absorbent resin has a mass-average particle diameter of 200 to 700 microns (according to JIS-standardized sieves) after the classification, and contains particles of not smaller than 1,000 microns (according to JIS-standardized sieves) in the range of less than 5.0 mass%, wherein said process

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comprises the following steps of: (A) measuring a water-absorbent resin by classification step and/or a surface-modifying step such that the water-absorbent resin has a mass-average particle diameter of 200 to 700 microns and contains particles of not smaller than 1,000 microns in the range of less than 5.0 mass%; (B) separating a predetermined amount of water-absorbent resin (a) from the water-absorbent resin that comes being continuously produced of a water-absorbent resin; and (C) mixing said separated water-absorbent resin (a) with the continuously produced water-absorbent resin where the water-absorbent resin (a) is mixed in the step (C) without being substantially modified.

While reference of record EP 0 885 917 discloses a water-absorbent resin primary particle (powder) having a step of classification the obtained resin by a particle diameter, EP'017 does not disclose a step of separating a portion of a water-absorbent resin (a) and then mixing the water-absorbent resin (a) with the water-absorbent resin that comes directly from the classification step and/or surface modification step wherein the water-absorbent resin (a) is without further modification. Also, the difference is that EP'017 discloses an additional step by a mixing the water-absorbent resin powder and the aqueous liquid for producing a water-absorbent resin granule. This step is not required in the claimed process.

Reference Patent 6,228,930 to Dairoku et al belongs to the patent family to EP 0 885 917. Patent 6,228,930 does not disclose all steps in the claimed process for producing a water-absorbent resin product.

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There is no motivation to combine the teachings of EP'917 or Patent 6,228,930 with Uenaka et al Patent 5,468,813 or Imahashi U.S. Patent 6,107,385 since none discloses the claimed process condition for producing the resulting water-absorbent resin product.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Asinovsky whose telephone number is 571-272-1066. The examiner can normally be reached on 9:00 to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O.A.

October 11, 2006

Olga Asinovsky
Examiner
Art Unit 1711


James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700